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# Transactions of Properties with Active or Abandoned Dry Cleaning Facilities

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Hazardous Waste Program fact sheet

4/2006

The Missouri Department of Natural Resources recommends that properties with an active or abandoned dry cleaning facility receive an environmental audit that includes soil and groundwater sampling prior to sale of that property.

A potential buyer of the property with an active dry cleaning facility should ask for evidence showing that the facility is in compliance with all state and local requirements regarding the operation of a dry cleaning facility. This would include any applicable fees and reporting to the department's Air Pollution Control Program or Local Air Quality Agency or the Hazardous Waste Program.

If the facility is not in compliance with *RSMo Sections 260.900 to 260.965*, rules and regulations adopted pursuant to *RSMo Sections 260.900 to 260.965*, orders of the director pursuant to *RSMo Sections 260.900 to 260.965*, or any other applicable federal or state environmental statutes, rules or regulations, then it may be determined to be ineligible to receive monies from the Drycleaning Environmental Response Trust (DERT) Fund for the assessment, investigation and remediation of releases of chlorinated solvents from dry cleaning facilities. Additionally, if fees and surcharges are due on an out of service or abandoned facility, then the site may be determined ineligible for receiving DERT Fund monies.

A new owner may become liable for anything on the property. The department cannot provide any guidance on liability issues beyond that provided in *RSMo 260.900 through 260.965*. If you have questions concerning liability, the department suggests consulting an attorney with experience in real estate and environmental matters.

The department suggests that you seek the services of a qualified Environmental Professional when conducting an environmental audit on a property. The department cannot recommend any particular consultants or contractors. When choosing a consultant or contractor, check references for past work conducting site assessments, site characterizations and corrective actions at contaminated sites. You should also ask for documentation that the consultant or contractor can comply with the appropriate industry standards, the Department of Natural Resources and safety requirements (e.g., OSHA certification). Obtain a bid for the work and an estimated cost. This bid should be compared to other bids obtained for the work. Also talk to other dry cleaners that the consultant has worked with and ask whether they were satisfied with the results.



The rules for the Drycleaning Environmental Response Trust (DERT) Fund are published in Title 10, Division 25, chapter 17 of the *Code of State Regulations*. These rules are based upon statutory authority contained in *Sections 260.900 through 260.965* of the *Revised Statutes of Missouri* (RSMo). Copies of the statute and rules are available by calling the Missouri Secretary of State's office at (573) 751-4015 or online at [www.sos.mo.gov](http://www.sos.mo.gov).

### **Related publications**

The following publications are available on the Web at [www.dnr.mo.gov/pubs/pubs.htm](http://www.dnr.mo.gov/pubs/pubs.htm).

*Drycleaning Environmental Response Trust (DERT) Fund Frequently Asked Questions* (PUB2186)

*Transactions of Properties with Active or Abandoned Dry Cleaning Facilities* (PUB2134)

*Drycleaning Environmental Response Trust (DERT) Fund Claim Kit* (PUB2135)

*Drycleaning Environmental Response Trust (DERT) Fund - Frequently Asked Questions about Remediation* (PUB2136)

*Drycleaning Environmental Response Trust (DERT) Fund - Frequently Asked Questions about Registration* (PUB2137)

### **For more information**

Missouri Department of Natural Resources

Hazardous Waste Program

Drycleaning Environmental Response Trust (DERT) Fund

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[www.dnr.mo.gov/env/hwp/dert/hwpcvp-dryclean.htm](http://www.dnr.mo.gov/env/hwp/dert/hwpcvp-dryclean.htm)